

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	CIVIL ACTION NO. 2:21-mc-1343
)	
v.)	
)	
POOPSENDERS,)	
d.b.a. POOPSENDERS.COM)	(Electronically Filed)
)	
Respondent.)	

**PETITION OF UNITED STATES FOR SHOW CAUSE ORDER
WHY ITS ADMINISTRATIVE SUBPOENA *DUCES TECUM*
SHOULD NOT BE ENFORCED**

AND NOW, comes the United States of America, Plaintiff, by its attorneys, Stephen R. Kaufman, Acting United States Attorney for the Western District of Pennsylvania, and Jill L. Locnikar, Assistant U.S. Attorney, and files this Petition on behalf of the Office of Inspector General for a Show Cause Order Why its Administrative Subpoena *Duces Tecum* Should Not be Enforced. The United States is simultaneously filing a Memorandum of Law in support of its Petition, which is incorporated herein as if attached hereto.

I.

Jurisdiction for this action is conferred on the Court by the provisions of the Inspector General Act of 1978, as amended, 5 U.S.C app. 3 section 6(a)(4).

II.

The physical address of Poopsenders is unknown as the company does business through a Post Office Box, which is noted on their website. Pennsylvania corporate records identified an individual believed to be an owner but do not provide a physical address for the business operations. This is an action for enforcement of an administrative subpoena *duces tecum*.

Petitioner alleges on information and belief that the records are located in Pittsburgh, Pennsylvania, Allegheny County, in the Western District of Pennsylvania and within the jurisdiction of this Court.

III.

(a) The Office of the Inspector General (“OIG”) was informed by the Postal Inspection Service that an inappropriate relationship had developed between a supervisor and a subordinate in which the supervisor was being victimized and harassed by multiple means, including receiving a package of imitation feces in the mail. The package was traced back to Poopsenders, a Pittsburgh, Pennsylvania based company.

(b) Poopsenders advertises that it does not disclose customer information and guarantees that all transactions conducted on the website are anonymous. The OIG has issued two subpoenas to confirm the identity of the individual customer who sent the feces to the victim. No response to either subpoena has been received.

IV.

(a) The OIG issued a subpoena *duces tecum* and served it by mail in November 2019 requesting records pertaining to any order and items sent from Poopsenders to 6780 W. Highland Drive, Grant, Michigan 49372 from October 1, 2019 through October 31, 2019. The subpoena was served by mail at the Post Office Box listed on the company website. No response to the subpoena was ever received.

(b) On July 21, 2020, the OIG reissued the subpoena *duces tecum* and served it by hand to the individual who has been identified as an owner of Poopsenders. A true and correct copy of the Declaration of Special Agent Sarah King is attached hereto as **Exhibit A**. (A copy of the subpoena is attached to the Declaration of Special Agent Sarah King, paragraph 6). This reissuance required a response by August 28, 2020.

V.

All information referred to in the subpoena *duces tecum* and required to be produced by the subpoena was, at the time of issuance of the subpoena, and is now, relevant, material, and appropriate to the OIG's investigation.

VI.

The failure of the Respondent to supply the information required by the subpoena *duces tecum* has impeded, and continues to impede, OIG's duty to continue their investigation.

WHEREFORE Petitioner hereby prays:

1. That an Order to Show Cause issue forthwith directing an agent of the Respondent to appear before this Court upon a day certain and show cause, if any there may be, why an Order should not issue requiring the Respondent to file with the OIG, or such officers or representatives designated, at such time and place and under such conditions as this Court may order, the requested information as required by the said subpoena *duces tecum*; and

2. That Petitioner have such further relief as this Court determines may be necessary or appropriate.

Respectfully submitted,

CINDY K. CHUNG
United States Attorney

Date: November 23, 2021

/s/ Jill Locnikar
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